

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Cox Arizona Telecom, LLC)	IC No. 09-S0295233
)	
Complaint Regarding)	
Unauthorized Change of)	
Subscriber's Telecommunications Carrier)	

ERRATUM

Adopted: February 23, 2010

Released: February 24, 2010

By the Deputy Chief, Consumer Policy Division, Consumer & Governmental Affairs Bureau:

On November 23, 2009, an order was issued (DA 09-2459)¹ that addressed a complaint alleging slamming by Cox Arizona Telecom, LLC. The order contained an error in paragraphs 5, 6 and 7. These paragraphs should instead read as follows:

5. Cox must secure the removal of all charges incurred for service provided to Complainant by Cox after 30 days following the unreasonable delay in accordance with the Commission's liability rules.² We have determined that Complainant is entitled to absolution for the charges incurred during the first thirty days after the unreasonable delay occurred and that neither Cox nor AT&T may pursue any collection against Complainant for those charges.³ Moreover, any charges imposed by Cox on the subscriber for service provided after this 30-day period shall be paid by the subscriber to AT&T at the rate(s) the subscriber should have been paying to AT&T for the time period in question.⁴

6. Accordingly, IT IS ORDERED that, pursuant to Section 258 of the Communications ACT of 1934, as amended, 47 U.S.C. § 258, and Sections 0.141, 0.361 and 1.719 of the Commission's rules, 47 C.F.R. §§ 0.141, 0.361, 1.719, the complaint filed against Cox Arizona Telecom, LLC IS GRANTED.

¹ See *In the Matter of Cox Arizona Telecom, LLC*, Order, 24 FCC Rcd 14056 (2009).

² Because the LEC's unreasonable delay in the execution of the switch caused the unauthorized charges to be billed by the Complainant's prior authorized carrier, it must secure the removal of these charges.

³ See 47 C.F.R. § 64.1160(d).

⁴ See 47 C.F.R. § 64.1160(e).

7. IT IS FURTHER ORDERED that, pursuant to Section 64.1170(d) of the Commission's rules, 47 C.F.R. § 64.1170(d), Complainant is entitled to absolution for the charges incurred during the first thirty days after the unauthorized change occurred and neither AT&T nor Cox may pursue any collection against Complainant for those charges.

IT IS FURTHER ORDERED that this Order is effective upon release.

FEDERAL COMMUNICATIONS COMMISSION

Nancy Stevenson, Deputy Chief
Policy Division
Consumer & Governmental Affairs Bureau